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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,236	11/14/2003	Christopher J. Stone	MOTO/BCS03178	6961
43471	7590	09/25/2009		
Motorola, Inc. Law Department 1303 East Algonquin Road 3rd Floor Schaumburg, IL 60196			EXAMINER SENF, BEHROOZ M	
			ART UNIT 2621	PAPER NUMBER
			NOTIFICATION DATE 09/25/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.US@motorola.com

Office Action Summary

Application No.

10/714,236

Applicant(s)

STONE ET AL.

Examiner

BEHROOZ SENFI

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's arguments, filed 6/5/2009, with respect to the rejection(s) of claim(s) 1-28 under 35 U.S.C. 103(a) have been fully considered and are persuasive.

Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Washino et al. (US 5,625,410).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cloutier et al. (US 5,847,771) in view of Washino et al. (US 5,625,410).

Regarding claim 1; Cloutier discloses, a method of encoding a plurality of audio/video programs for simultaneous display on a display device (i.e. fig. 1, abstract, col. 5, lines 55 – 60), generating or recovering at least one non-composited digital transport stream having the plurality of AV programs by a tuner (i.e., fig. 5, col. 6, lines 17 – 25) and transmitting the at least one non-composited digital transport stream as augmented over a digital link coupled to the display device (i.e. figs. 3 and 5, the display device 54).

Cloutier discloses simultaneous processing of multiple video signals, and overlay controller to simultaneously displaying portions of the video programs (i.e., col. 2, lines

9-11, col. 3, lines 9-15 and 30-42). But is silent in regards to explicit of; control information operative to invoke simultaneous display of the plurality of AV programs on the display device.

Washino (i.e., figs. 1-6 and 11, col. 2, lines 64- col. 3, lines 23, col. 4, lines 66- col. 5, lines 11 and lines 39-47, cols. 7-8, lines 50-9) augmenting transport stream with control information to invoke simultaneous display of the plurality of AV programs on the display device.

In view of the above, it would have been obvious to one skilled in the art at the time of the invention was made to combine the teaching of Cloutier and Washino, as a whole, in order to provide a more efficient method for monitoring using a multiple-window display system, as suggested by Washino (col. 3, lines 53-55).

Regarding claim 2, the combination of Cloutier and Washino teaches, transport stream comprises a single digital transport stream having a control packet associated with the plurality of AV program, reads on (MPEG header information, col. 13, lines 45 – 50).

Regarding claim 3, the combination of Cloutier and Washino teaches, identification data associated with each of the plurality of AV programs (Cloutier; col. 15, lines 13 – 17).

Regarding claim 4, the combination of Cloutier and Washino teaches, PMT and PIDs (Cloutier; col. 13, lines 33 – 36).

Regarding claims 5 - 6, the combination of Cloutier and Washino teaches, the second control packets, each of the plurality of second control packets associated with

a respective one of the plurality of AV programs, reads on (PMT and PID's associated with respective one of AV stream).

Regarding claim 7, the combination of Cloutier and Washino teaches, first control packet comprises a PAT, wherein each of the plurality of second control packets comprises a PMT, and wherein the identification data comprises packet identifiers PIDs associated with the PMT of each of the plurality of second control packets (Cloutier; col. 13, lines 28 – 37).

Regarding claim 8, the combination of Cloutier and Washino teaches, control information comprises a command having identification data (as disclosed in the instant application as PID) associated with the plurality of AV (col. 6, lines 19 – 21 and col. 15, lines 14 – 16 of Cloutier).

Regarding claim 9, the combination of Cloutier and Washino teaches, operational code to invoke the simultaneous display, have been addressed in claim 1 above. wherein the identification data comprises plurality of pairs of source and destination plugs, each of the plurality of pairs of source and destination plugs associated with a respective one of the plurality of AV programs (reads on PID and PMT, col. 6, lines 17 – 25 and col. 8, lines 56 – 65, the transport stream includes PID and PMT identification data associated with respective one of the plurality of AV programs).

Regarding claim 10, the limitations, plurality of digital transport streams associated with a respective one of the AV programs, are discussed in claim1 above.

Regarding claim 11, the combination of Cloutier and Washino teaches, transport stream comprises a single digital transport stream associated with AV programs (col. 6, lines 17 – 25 of Cloutier).

Regarding claim 12, the limitations claimed are substantially similar to claim 1 and are the method of decoding of the audio/video data, thus reads on (i.e. fig. 5, process of decoding AV programs of Cloutier).

Regarding claim 13, the limitations, transport stream comprises a single digital transport stream having a control packet associated with the plurality of AV program, have been addressed in claim 11 above.

Regarding claims 14-15, the limitations claimed have been addressed in claims 3-4 above.

Regarding claims 16 – 19, the limitations claimed have been addressed in claims 5-8 above.

Regarding claim 20, the limitations claimed are substantially similar to claim 1, therefore the ground for rejecting claim 1 also applies here.

Regarding claims 21-22, the limitations claimed are substantially similar to claims 10-11, therefore the ground for rejecting claims 10-11 also applies here.

Regarding claim 23, the limitations claimed are substantially similar to claim 1, therefore the ground for rejecting claim 1 also applies here.

Regarding claim 24, the combination of Cloutier and Washino teaches, interface circuitry for transmitting the at least one non-composited digital transport stream over digital link (Cloutier; figs. 3 – 4, interface module).

Regarding claim 25, the limitations claimed are substantially similar to claim 12; therefore the ground for rejecting claim 12 also applies here.

Regarding claim 26, the combination of Cloutier and Washino teaches, interface circuitry for receiving the at least one non-composited digital transport stream over a digital link in a decoder side (would have been necessitated by the disclosure of the combination of Cloutier and Washino).

Regarding claim 27 – 28, the limitations claimed are substantially similar to claims 1 and 12, and are computer implemented method of claims 1 and 12; since the disclosure of Cloutier and Washino is computer implemented (Cloutier; col. 2, lines 37 – 45), therefore the ground for rejecting claims 1 and 12 also applies here.

Contact

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Behrooz Senfi whose telephone number is 571-272-7339. The examiner can normally be reached on M-F 7:00-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Behrooz Senfi/
Primary Examiner
Art Unit 2621